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*Admitted only in Maryland
*Admitted only in Virginia
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Federal Agencies

August 4, 2005

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 1653

Re: U.S. Utility Patent Application
Application No. 09/767,080; Filed: January 22, 2001
For: **Deoxo-Proline-Containing Tamandarin and Didemnin Analogs,
Dehydro-Proline-Containing Tamandarin and Didemnin Analogs,
and Methods of Making and Using Them**

Inventors: JOULLIÉ *et al.*
Our Ref: 1694.0640001

Sir:

Transmitted herewith for appropriate action are the following documents:

1. PTO-2038 Credit Card Payment Form to cover:
\$180.00 Second Supplemental Information Disclosure Statement fee;
2. Fourth Supplemental Information Disclosure Statement Filing Under 37 C.F.R. §
1.97(d) and (e)(1) (3 pp.);
3. Forms PTO-SB/08a and SB/08b (2 pages) listing the cited documents;
4. Copies of six of the nine cited documents; and
5. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

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180.00 DP

Commissioner for Patents
August 4, 2005
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Matthew J. Dowd
Agent for Applicants
Registration No. 47,534

JMC/MJD/bls
Enclosures

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

JOULLIÉ *et al.*

Appl. No.: 09/767,080

Filed: January 22, 2001

For: **Deoxo-Proline-Containing
Tamandarin and Didemnins Analogs,
Dehydro-Proline-Containing
Tamandarin and Didemnins Analogs,
and Methods of Making and Using Them**

Confirmation No.: 5576

Art Unit: 1653

Examiner: Abdel A. Mohamed

Atty. Docket: 1694.0640001

**Fourth Supplemental Information Disclosure Statement
Under 37 C.F.R. § 1.97(d) and (e)(1)**

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO/SB/08A and Form PTO/SB/08B are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. Copies of documents **FP1-FP4**, **NPL1**, and **NPL2** are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of U.S. patents, documents **US1-US3**, cited on the attached PTO/SB/08A are not submitted.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following discussion of the relevance of the non-English language document **FP1** cited on Form PTO/SB/08A:

Document **FP1**, ES2 102 322 A1, is in the Spanish language. An English language abstract of document **FP1** is attached as document **NPL1** on Form

PTO/SB/08B. Additionally, document **NPL2** is a published research article which is believed to be an English equivalent of part or all of the disclosure of document **FP1**.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached Form PTO/SB/08A and Form PTO/SB/08B based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed after the mailing of the Notice of Allowance. In accordance with the requirements of 37 C.F.R. § 1.97(d) and (e)(1), I hereby state that each item of information contained in this Information Disclosure Statement (with the exception of documents NPL1 and NPL2) was first cited in a communication from a foreign patent office in a counterpart foreign application not

more than three months prior to the filing of this Information Disclosure Statement. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$ 180.00 in payment of the fee under 37 C.F.R. § 1.17(p). Additionally, the fee set for in 37 C.F.R. § 1.17(p) is enclosed herewith.

It is respectfully requested that the Examiner initial and return copies of the enclosed Form PTO/SB/08A and Form PTO/SB/08B, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Matthew J. Dowd
Agent for Applicants
Registration No. 47,534

Date: August 4, 2005

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Under the provisions of the Trademark Act of 1946 (15 U.S.C. § 1052), the Commissioner of Patents and Trademarks has determined that the mark is not distinctive of the applicant's goods and is therefore refused registration.

Approved for use through 07/31/2006.

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**FOURTH SUPPLEMENTAL
INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet	1	of	1
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Complete if Known

Application Number	09/767,080
Filing Date	January 22, 2001
First Named Inventor	Madeleine M. Joullié
Art Unit	1653
Examiner Name	Mohamed, Abdel A.
Attorney Docket Number	1694.0640001

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number-Kind Code ² (If Known)		

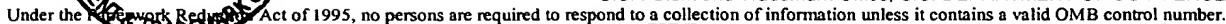
FOREIGN PATENT DOCUMENTS				
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Country Code ² Number ³ Kind Code ⁴ (if known)		
	FP1	ES2 102 322 A1	07/16/1997	Pharma Mar
	FP2	WO 98/17302 A1	04/30/1998	The Board of Trustees of the University of Illinois
	FP3	WO 98/17302 A1 (Corrected Version)	04/30/1998	The Board of Trustees of the University of Illinois
	FP4	WO 98/17275 A1	04/30/1998	The Board of Trustees of the University of Illinois

Examiner Signature		Date Considered	
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449/PTO

(Use as many sheets as necessary)

Complete if Known

Application Number	09/767,080
Filing Date	January 22, 2001
First Named Inventor	Madeleine M. Joullie
Art Unit	1653
Examiner Name	Mohamed, Abdel A.
Attorney Docket Number	1694.0640001

Sheet	1	of	1
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NON PATENT LITERATURE DOCUMENTS

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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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